

## **Policing in France**

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### **Police Research in France**

Until the early 1980s, social science research on policing issues was extremely rare in France. Most of what was written were essays by politicians, investigations by journalists or, more often, memoirs by former police officers. The rare academic works were dominated by narrowly legal approaches describing police powers and their legal framework, or philosophical texts discussing in the abstract what police powers should be. While these publications were of interest, they took little account of police practices in the field and the dynamic features of police organizational life. For many academics, policing in action was a "dirty subject", one associated with the mundane and sometimes unpleasant daily functions of the State (see Berlière and Lévy 2011, pp. 10-11). At the same time, the police saw their external observers as excessively critical, engaged in the needless airing of the organizational and political realities they struggled to deal with.

While police research in the United States began to develop in the early 1960s (Skogan and Frydl, 2004), in France the start came later, in the 1980s. It was the work of a few pioneers who, in sociology, political science or history, invested in this field of research. Without the list being exhaustive, the research of René Lévy (1987) on the work of the judicial police, Jean-Marc Berlière (1992) on the professionalization of

policing under the Third Republic, or Pierre Favre (1990) on the policing of political protests, were the among first social science inquiries in the field. But above all, the emergence of this field of research was led by the sociologist Dominique Monjardet. Coming from the sociology of occupations, where he had already carried out promising work, he stood at the origins of empirical research on public security and public order policing (see for a synthesis see Monjardet, 1996; or Monjardet, 2008). It should be noted that the development of this field benefited from the creation of units such as the *Institut des hautes études de la sécurité intérieure* (IHESI) within the Ministry of the Interior in 1989. Research institutes brought together researchers and provided funding, and kindled forums for exchanges between academics and practitioners. The journal *Les Cahiers de la sécurité intérieure*, published by IHESI, provided an outlet for these activities.<sup>1</sup>

Almost forty years later, the situation is quite different. Research on policing seems solidly established (although see Ocqueteau and Monjardet (2004) on the complex relationship between research and the Ministry of the Interior). It is not possible in this short introduction to give a comprehensive overview of research conducted on French policing, but the variety of research fields that are being explored should be mentioned. These include the emergence of modern police forces, the history of colonial police forces, the professionalization of policing in the contemporary era, changing models of policing, policing during repressive periods in French history (for example, during the German occupation of the 1940's), the feminization of the police, stop and search practices, police relations with young people from minority backgrounds, efforts toward police reform, the introduction of neo-managerialism, the work of oversight bodies, the role of police in maintaining public order, the professional socialization of police officers, political surveillance, and police involvement in partnerships with other organizations and the community. Research on many of these topics have been published in major French social science journals, either generalist (*Revue française de sociologie*, *Revue française de science politique*, *Sociologie du travail*, and *Vingtième siècle*), or thematic (*Champ pénal*, *Déviance et Société*, and *Cultures et conflits*).

However, in this brief assessment one is struck by a paradox. On the one hand, this research has been very open to theories, concepts and methods developed in other countries. This is illustrated by the work co-directed by Jean-Paul and Dominique Monjardet (2003) which was devoted to the major texts of Anglo-Saxon research. Research in France has also internationalized and become involved in cross-national comparisons (Berlière et al. 2008; de Maillard and Roché 2009; Fillieule and Della Porta

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<sup>1</sup> IHESI became the *Institut national des hautes études de la sécurité et de la justice* in 2009, and then was disbanded in 2020, a sign of fragility of evaluative policy research.

2006; Houte and Luc, 2016; de Maillard 2017). On the other hand, much of this work has not been translated into English, giving much of the world a restricted picture of police research in France.<sup>2</sup> Thus the core mission of this book: to promote a broader understanding of the police system, police practices, and relations between police and the public in France, with a collection of originally-written essays on key topics that are based on recent social science research.

### **France: A Centralized Dualist System**

In international typologies (see Bayley 1985), France is presented as a dualist, centralized system, consisting mainly of two national police forces, one civilian (the *police nationale*) and the other military (the *gendarmerie nationale*).<sup>3</sup> These two police forces are controlled by the central State and have distinct territories of action. The *police nationale* is active in urban areas, while the *gendarmerie* is traditionally responsible for rural and suburban areas. The *police nationale* are often described as responsible for 5% of the territory, 50% of the population and 70% of delinquency, whereas the *gendarmerie* are responsible for 95% of the territory, 50% of the population and 30% of delinquency. As we will see, these two institutions have distinct identities.

#### *Police and Gendarmerie: Between Competition and Cooperation*

The *Gendarmerie* is an ancient institution, heir to the "Maréchaussée" of the Middle Ages. Malcolm Anderson, in his chapter, recalls the strong esprit de corps of the *gendarmerie*, marked by its military identity. The *gendarmerie* is considered an "arm" (*une arme*), the *gendarmes* still define themselves today as "soldiers of the law". The national police is a more recent institution, the repository of the many transformations that have affected the police in urban areas since the 18th Century. As Jean-Marc Berlière and René Lévy point out in their chapter, it is not one police force that France has experienced, but multiple and competing ones. Two dates are important for understanding the relatively late process of unification the *police nationale*. In 1941, under the Vichy regime, a decree-law was adopted nationalizing the municipal police forces of towns with more than 10,000 inhabitants, which resulted in their virtual disappearance as an independent entity. Second, in 1966, the General Directorate of the National Police was created, which integrated the previously autonomous Prefecture of

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<sup>2</sup> It should be noted, however, that in addition to the publication in English of Didier Fassin's (2013) important work, authors as different in style (to name but a few) as E. Blanchard, L. Bonelli, T. Delpuech, J. de Maillard, J. Ferret, O. Fillieule, J. Gauthier, F. Jobard, R. Lévy, Ch. Mouhanna, F. Ocqueteau, G. Pruvost, S. Roché, V. Spenlehauer, and M. Zagrodzki have published in English on French police.

<sup>3</sup> Bayley (1985, p. 59) refers more specifically to a multiple coordinated centralized police structure, but we return to the issue of coordination below.

Police (responsible for the policing of the national capital, Paris) into the national policing apparatus.

The identities of these institutions, shaped by history, are very distinctive. *Gendarmes* have military status and work in uniform in rural areas. They are often well integrated into local life. Until the 2000s they reported to the Ministry of Defense. The *police nationale* are stationed in cities, traditionally value criminal investigations, and more often are found working in civilian clothes. They report to the Ministry of the Interior, and they also have more tense relations with the public. The two bodies pursue somewhat different professional models, and they differ in unionization. The *gendarmerie* is not unionized (but since the 2000s they have a professional association), while the *police nationale* is represented by powerful trade unions.

This division between the *police* and the *gendarmerie* has resulted in notable cross-criticism, sharpened by implicit competition between them. As Malcolm Anderson's chapter describes, this rivalry manifested itself in their duplication of functions. For example, the *gendarmerie* enhanced their investigative capacity during the 1980s by creating their own scientific and technical laboratories, doing so to the great displeasure of the *police nationale*, which traditionally did this work for them. Similarly, in the 1980s the *police nationale* created an elite intervention unit based on the model of the Gendarmerie Intervention Group created in 1974.

In 2009, a potentially major change took place when the *gendarmerie* was moved under the authority of into the Ministry of the Interior. This resulted in a greater harmonization of their organizational practices, pay schedules, adoption of a common code of ethics, and the creation of a joint directorate for international cooperation. But distinctions and rivalries between the two remain strong. The *police* and *gendarmerie* have different general directorates, different training schools, and separate operational doctrines. Inevitably, they compete for shares of the budget of the Ministry of the Interior.

Dualism thus remains a central facet of the French police system. The two branches have distinct organizational cultures, which is shaped in part by their respective professional training facilities. *Police nationale* leaders study at the *Ecole nationale supérieure de la police*, in Saint-Cyr near Lyon, while *gendarmerie* executives are trained at the *Ecole des officiers de la gendarmerie nationale* in Melun, near Paris. Many *gendarmerie* leaders are earlier graduates of Saint-Cyr, a prestigious military school. But these rivalries are also encouraged by the magistrates, as prosecutors may in some cases favor one branch or the other. Higher up, President François Mitterrand significantly entrusted his security to the *gendarmes* in 1981, whereas President Nicolas Sarkozy did

the opposite in 2007. Dualism is a deeply institutionalized feature of the French police system.

### *Between Rationalization and the Pathologies of Centralization*

Centralism is the second dominant aspect of the French system. France is one of the rare large countries where national police forces carry out local law enforcement, investigations, intelligence gathering, and the protection of daily public security. These activities are organized along extensive, hierarchical chains that run from the Minister of the Interior to the policeman in the field, a hierarchy comprising more than a dozen different levels. The pyramidal logic of police systems is fully in force here. Decisions are taken in Paris that are applied in Brittany, Alsace and Corsica. As historians have clearly shown, this centralization is inseparable from the way the State was built in France, and from the logic of control by the center of the peripheries. The role played by the *gendarmerie* during the 19th century in the construction of the nation and consolidation of state control of rural areas was, for example, essential (Lignereux, 2008). According to *police* and *gendarmerie* officials, senior civil servants, and principal political leaders, this historical centralization is an advantage of the French system as it faces contemporary challenges. These include action against cybercrime, the fight against terrorism, and international cooperation, all of which are facilitated by nationalized organizations that allow for an easier exchange of information as well as economies of scale through the pooling of resources. This centralization is thought to guarantee rational and effective action, and also greater equality of police protection throughout French territory.

However, as Christian Mouhanna shows in his chapter, the pathologies associated with centralization are numerous. It reinforces the bureaucratic and opaque character of police action. Accountability is seen as a vertical concept, imposed by central policies and hierarchical relationships, although in practice these are always discreetly counterbalanced by circumventions and adaptations on the part of subordinates faced with getting the work done. Centralization also contributes to downward management based solely on crime figures, which in turn favors political posturing featuring repressive action against (measures of) crime. Several chapters recount the role played by Nicolas Sarkozy as the Minister of the Interior and President of the Republic in shaping an exaggerated version of police centralization during his administrations.

To say that the French police system is centralized, and dualist does not mean that police action is totally controlled by the State and that vertical logics apply mechanically. Studies in the sociology of organizations have long shown the difficulties

involved in making centralization work. The chains of command are long, it is hard to keep sensitive communications confidential, and policing often required cooperation with other public agencies that is better managed at the local level. We have already stressed the competitive nature of relations between the *police nationale* and *gendarmerie*. The same is true for relations within the *police*. Although formally integrated within the general directorate of the national police force, the Paris Prefecture of Police enjoys a very high degree of autonomy, to the point that we can sometimes speak of three state police forces: the *gendarmerie*, the *police national* and the prefecture.

### *Between Specialization and Attempts at Integration*

A striking tension within French policing is that of the dialectic between the specialization of police techniques and organizations on the one hand and attempts to merge or create new units to facilitate information sharing on the other. Specialization is a classic feature of police organizations. As they develop, they are often marked by the internal multiplication of activities and units that based on specialized interests and knowledge (see Maguire 2014). In the French national police, the logic of specialization has even been embodied in the structuring of national directorates organized by specific functions. There are central directorates for the border police, the judicial police, special protest and riot policing units, and public safety). Specialization is usually seen as a way of creating elite units that focus on investigations and interventions and sit on top of the police prestige hierarchy. Elodie Lemaire's chapter documents how the process of specialization is also found within so-called ordinary police services. Based on field work within an investigative service in a *département* (a French political and administrative territorial level), she shows how, in the space of a decade or so, specialized units multiplied. From a few brigades dealing with undifferentiated cases in the early 1990s, by the mid-2000s most of their work was successively subdivided into a dozen specialized units focusing on issues ranging from car thefts to phone thefts and payment fraud. Increased specialization was a response by police managers to political demands for improved results, and reorganization made it possible to achieve results in line with political and organizational expectations. They were also a way of affirming symbolically that the problem was being taken care of. Further, it was also a way of finding tasks of suitable status for graduate officers when actual opportunities for professional development within the organization were limited. But Lemaire shows the perverse effects of this strategy. It led to a re-concentration of managerial control in the hands of leadership, along with the standardization of practices, plus fragmentation through specialization led to reduced autonomy for police personnel.

Clément de Maillard's chapter compliments this analysis. It examines attempts to correct the limitations arising from excessive unit specialization by setting up new units

responsible for collecting and analyzing data and promoting more global criminal approaches, in a manner similar to discussions of intelligence-led policing. Using the example of the gang war in Marseilles in the early 2010's, an event which resulted in a rapid increase in homicides in a context of increased competition in drug trafficking, it documents how various police units were not able to anticipate this phenomenon because they each had their own networks of informers and their own list of usual suspects. The ensuing reform effort involved the creation of units such as SIRASCO in the Central Directorate of the Judicial Police, which analyses organized crime groups based on their origin. There were also new training and analytic advances, such as the development of an application for criminal intelligence management in the *gendarmerie*. However, the reception of these new capabilities is still evolving. Their added value is difficult to determine, and many police officers question their lack of visible and measurable results. Organizational rivalries also continue. And Clément de Maillard emphasizes the extent to which the centralized French system remains primarily based on a reactive model of policing, one that is somewhat at odds with new thinking about policing in many other nations.

### *The Search for Control Mechanisms*

Another development in French policing concerns the search for organizational control mechanisms that are external to the police. This is a long-standing question: "Who guards the guardians?" Cédric Moreau de Bellaing, in his chapter, identifies several actors likely to exercise this control. These include parliament, actors in the media and civil society, the judiciary, a body called the Defender of Rights, and internal control institutions such as the General Inspectorates of the *police nationale* and the *gendarmerie*. Under the influence of its director, between 2014 and 2019 the General Inspectorate of the National Police underwent some modernization: this included the publication of a public report and setting up online reporting platform. Nevertheless, this is an internal department within the Ministry of the Interior, which is regularly criticized for excessive protection of police officers. Recent investigations of controversial cases such as the death of a young man, Steve Manico in Nantes in June 2019, or the policing of the "yellow vests" movement in 2018-2019, have generated a great deal of controversy, drawing attention to the lack of independence of the investigators. The Rights Defender, created in 2011, is an external oversight body for the security forces. It replaced a National Commission on Security Ethics, created in 2000 as the first external oversight body. In recent years, the Rights Defender has published several reports making strong objections to abusive police practices, including the conduct of abusive identity checks, dismantling of migrant camps, racial profiling, and police practices while maintaining order during demonstrations. However, a major difficulty remains: The Rights Defender has little contact with the police and the

*gendarmerie* and is not in a position to influence decisions taken internally by these institutions.

While these different mechanisms only allow for limited control of the police, Cédric Moreau de Bellaing emphasizes that what dominates is first and foremost their own, internal professional standards. Police behavior is importantly controlled by their professional identity and a set of norms that come with it that guide police practice. However, he stresses that this common identity is not enough to reliably ensure self-regulation on the part of police, especially when their practices are called into question externally.

In sum, many chapters in this volume highlight the lasting marks of a police system involving centralization, dualism, specialization and weakness of external control, while underlining sources of instability in the system, including competition, fragmentation, lack of cooperation, and the failure of half-hearted organizational innovations to resolve systemic problems in policing. However, what we are going to see next is that the police system has been made more complex by the transformations undertaken since the 1970s, largely driven by dynamics external to the police.

### **State-controlled Police Pluralization**

The logic of what we have dubbed “dualistic centralism” is based on the predominance of its national police forces when it comes to the production of security in France. It is a system that the sociologist Dominique Monjardet (1999) described as a “republican security administration.” It is marked by its control by national authorities and the marginal role played by local governments, in a society where delinquency was traditionally not really on the political agenda. Nevertheless, as in other Western countries (see a vast literature summarized by Bayley and Shearing 2001), the French police system was to undergo a transformation beginning at the end of the 1970s. In ensuing decades, the state monopoly over the production of security crumbled, and public police forces found themselves in competition with other types of actors, both public and private, and national and local, who contributed to the policing function. This development challenged the privileged position of the state itself, setting in motion a debate over the core principles of the republican tradition upon which it is based.

#### *The Threefold Logic of Pluralization*

It must be said from the outset that the state's monopoly over the police has never been total, even in France. At the beginning of the 1980s, Lascoumes *et al.* (1986) counted 177 bodies holding police powers in France, including those well beyond the



*police nationale* and *gendarmerie*, or the municipal police forces that can be found in many cities. The changes initiated during the 1970s therefore amplify already-existing dynamics. Three trends, whose effects are combined, have been redefining the French police system: the rise of private security companies, the diversification of public police forces and the spread of local partnerships.

First, as Frédéric Ocqueteau shows in his chapter, there has been a very large expansion in the number and scope of private security companies, the importance of which he documents. According to the National Institute of Statistics and Economic Studies, in 2017, there were 155,000 employees working in private security, of which 139,000 were in the human surveillance sector. The companies reported a total turnover of about 10 billion euros that year. Between 2010 and 2017, this turnover increased by 3.8% on average, a proportion that accelerated with the Euro 2016 championship, terrorist attacks in 2015 and 2016 and a strengthening of the Vigipirate plan for the prevention of terrorist attacks.

Secondly, within the public police there has been a growth in the number of personnel who do not depend on the central government but on municipalities, social housing estates and transport companies. The first of these are, of course, municipal police forces, which have grown from around 5,000 agents in the early 1980s to over 22,000 today. Out of 125 cities with more than 50,000 inhabitants, only six have no municipal police. Even the City of Paris, despite its special status, established a municipal police force in early 2020. At the same time, their criminal investigation powers have been extended (municipal police officers are deputy judicial police officers), and municipal forces have upgraded their weaponry (37% of municipal police officers carried a firearm in 2014, compared to 53% in 2019). But the growth even of alternative public agencies has been notable. Transport companies, such as the SNCF (French railways) or the RATP (Public transport operator), have set up their own security groups, as well as have some agencies managing social housing estates. In Paris this includes the employment of security personnel by the *Groupement parisien inter-bailleurs de surveillance*, which brings together 12 public and private social housing estates.

Finally, as Thierry Delpuech and Jacqueline Ross show in their chapter, with the spread since the early 1980s of different forms of contractual arrangements, the police have become involved in regular exchanges with many partners, including municipalities, courts and prosecutors, landlords and schools. Although these contracts and other agreements remain weakly binding, they imply a redistribution of relations with the community. Police managers need to regularly inform their partners, but also to diversify their sources of information on neighborhood security, including going

beyond just recorded crime. In particular, the role of department heads at the local level (national *police* commissioners and *gendarmerie* company commanders) has been transformed: they must inform and exchange information with a wide range of parties, first and foremost being local mayors.

### *The Logic of Governance and the Role of the State*

Taken as a whole, these transformations can be interpreted as a shift from a logic of government to a logic of governance (see Roché 2004; de Maillard 2005). This is a dynamic that international research on policing has long identified (Bayley and Shearing 2001; Crawford 2002; Dupont 2004). There is now a multiplicity of private and public actors in charge of policing, both from the point of view of providers and the jurisdictions in which they operate. Virginie Malochet's chapter gives an account of this growing diversification of policing, particularly in urban areas. On issues such as street peddling, homelessness, festive happenings in public spaces, and disorders in social estates, the state-controlled public police and other police and non-police bodies are now expected to act jointly. There are also new hybrid institutions that stand between the private and public spheres. One example is the National Council for Private Prevention and Security Activities, a body charged with regulating the private security sector. It is composed in part by private security companies that have gained powers previously reserved for public authorities, including the ability to regulate the private security sector, authorize new private security companies and license their employees.

The question of coordination and adjustment between these actors has become central. As noted by both Malochet and Delpeuch and Ross, the division of labor among them is a priority question. Are they engaged in the co-production of safety, or do their efforts lie on different points of a security continuum? Analyzing contemporary policing from a governance perspective is therefore a stimulating analytical perspective. It allows us to take into account "... a set of institutions and actors that are drawn from but also beyond government, (...) the blurring of boundaries and responsibilities for tackling social and economic issues, (...) the power dependence involved in the relationships between institutions involved in collective action, (...) the autonomous self-governing networks of actors, (...) the capacity to get things done which does not rest on the power of government to command or use its authority" (Stoker 1998, p. 18).

However, it would be wrong to conclude that this pluralization means that the state is overwhelmed, or that it is just another player in security networks. The number of employees involved remains very much in favor of the state-controlled public police forces: most recently there were 145,000 officers serving in the *police nationale* and 100,000 *gendarmes*, compared with 22,000 municipal police officers. Their legal powers

are also asymmetrical: Municipal police officers are only deputy judicial police officers and have very limited investigative powers. We can also add that what is striking in the French situation is the importance of other public and semi-public actors, rather than purely private companies, in this domain, giving a continued public flavor to the governance of security.

Furthermore, the various policing actors that intervene in the public space do so largely employing traditional public policing models. Malochet clearly shows in her chapter how the model of the state police officer (that of the "cop", or '*le flic*') radiates beyond the *police nationale* and *gendarmerie*. For municipal police in search of legitimacy, it is necessary to develop units specialized in proactive policing, and getting involved in the fight against crime, imitating the units developed within the state police. There is pressure toward isomorphism, which leads municipal police (because they have fewer staff, less power, and less prestige) to try to resemble traditional state-controlled public police.

### **Maintaining the Boundaries of the State**

The French police are directly involved in maintaining the stability of the state. Unlike their counterparts in North America and the United Kingdom, they are routinely engaged in what Jean-Paul Brodeur dubbed "high policing" (Brodeur 2010). As a chapter by Laurent Bonelli highlights, in addition to protecting the rights and interests of individuals and local communities, they are charged with protecting the authority of the state itself. Since this inevitably gets bound up with protecting the interests of the incumbent officials who oversee them, this means that politics plays an important role in both their duty assignments and the manner in which they perform them. The police mission, organization, and operations are a by-product of government priorities, which in turn are partly influenced by the threat environment and in part by political concerns. Police do not just fight crime; they also contribute to defining the social order. Bonelli argues that they serve as a gatekeeper for the political arena, allowing some social movements to play a role in it, and disqualifying others. They work to neutralize social forces that might disrupt the political order, and thereby help define the limits of social and political change that the state will tolerate. As Bonelli puts it, they "take part in the closure of the political game."

Since the early 1960s, France has experienced repeated outbursts of political violence. In November 2015, terrorist attacks in Paris and Saint-Denis that killed 130 persons and wounded more than four hundred were among the most internationally visible episodes of violent terror, but the list of these events is a long one. Laurent Bonelli describes how the first line of defense against terrorism and other forms of

political violence in France remains firmly in the hands of the police. Domestic intelligence services are an integral part of the national policing apparatus. Pressure on them to effectively contain terrorism has diverted attention from their other responsibilities, and police operations end up being justified largely by their effectiveness at counterterrorism. In turn, each major incident has led them to reassess their actions and make organizational and legislative changes. If trouble is contained, officialdom will defer to them and not ask too many questions. Many of these adaptations to the changing world of political violence are documented in this chapter. It offers an introduction to the world of domestic intelligence in France and examines its major transformations since the late 2000s.

Political disruption remains another, older, and seemingly constant, feature of French life. It too has challenged and stretched thin the resources of the police. Significant social issues often play themselves out in street protests and handling them effectively has severely tested the police. As this book was being prepared, the *gilets jaunes* (or “yellow jackets”) stormed Paris, many of them traveling from their homes in small-town and rural France to protest rising fuel prices and the cost of living, and demanding an increase in the minimum wage and the return of a special tax on wealth. By November 2018, hundreds of thousands of people were mobilizing across France, constructing barricades and blocking roads. Cars were burned in Paris and elsewhere. The yellow jacket movement subsided, aided by changes in government policy but also in the face of heavy-handed police tactics involving rubber bullets and crowd-dispersing hand grenades. At about that moment, new protests with a different social base and explicit policy goals broke out over the impending imposition of changes in national retirement policies. The marches that ensued took place in the context of widespread transit strikes and occasional electrical power cuts. The transit strike was the longest continuous stoppage France had seen in decades. By January 2020 investigations were already launched into the appropriateness of the police response to these protests as well.

In short, overt political street protests are common in France, and as a result protest *policing* is inevitably a highly salient issue. Aurélien Restelli reports that, for more than a decade, every significant social conflict in France has tested the police and led to new debates over the effectiveness of their response. In his view, protest policing strategies and tactics have not adapted well to new forms of political activism. The police have been seemingly incapable of containing the disorder that social conflicts engender. At the same time, they are being accused of being repressive and brutal. Restelli’s chapter examines these parallel claims of harshness and ineffectiveness, to understand the political, social and policy demands they place on contemporary policing.

In addition to metaphorically, law enforcement officials representing a variety of agencies are also literally in charge of maintaining the boundaries of the state. Border control has not been a central focus of research on policing in France, but it has been addressed in numerous reports on border control practices and immigration policies. As a chapter by Sara Casella Colombeau reports, issues regarding who can enter and leave the country, and the movement and activities of resident foreigners, grew in importance with the emergence of a strong central state. In a more recent period, border control became linked to questions regarding the place of residents of its colonial empire in France itself. By the 2010s, these concerns were joined by the specter of large numbers of new migrants and refugees moving around and across the Mediterranean, and growing fear of the transnational activities of terrorist groups. The creation of the borderless Schengen Area by a 1995 treaty involving 26 European nations both simplified and made much more complicated the task of addressing all these responsibilities. Colombeau's chapter reviews the development of border policing in France, examining the operational practices involved and the organizations that are responsible for implementing them.

### **Maintaining the Social Hierarchy**

Another role that frequently is played by the police is protecting the distribution of power and status in society. Criminal justice institutions are typically hierarchy-enhancing. That is, they operate in ways that reproduce social inequality and maintain existing power relations among groups, thus benefiting dominant groups. Policing is not just about crime. Conflict theory views crime control as an instrument used by powerful groups to regulate threats to their interests and to maintain the existing social structure (Turk, 1976). Police order maintenance activities remind targets of their place in the social hierarchy and the power of the police to keep them there. The most common policing tactic in France is to demand "vos papiers" (your papers). These identity checks may involve no offence or even any real suspicion. Often the police know full-well who their targets are, as they stop them repeatedly. Formally, these stops are described as being preventive, forestalling possible breaches of the public order by reinforcing police authority. They also remind subjects of their place in society.

Identity checks are controversial, as "public order" is vague enough to justify many and frequent police interventions. The police have a great deal of freedom when it comes to deciding what public order is or isn't, and very wide discretionary power in choosing when and how to act. The distribution of these checks also has sparked concern over racial profiling. As chapter by Fabien Jobard and Jacques de Maillard reports, police stops have also been implicated in sparking the longest and most striking

round of riots in France's contemporary history. Identity checks offer an opportunity for aggressive behavior on the part of the police, especially towards youths from ethnic minorities, and have been documented as both discriminatory and highly discretionary. Since the 2000s, research has accumulated extensive quantitative and ethnographic evidence of the extent of these problems. This has helped drive identity checking onto the public agenda. There have been heated debates in France over the effectiveness and appropriateness of this policing tactic.

It is frequently in the poorest and most diverse urban areas of France where this conflict is carried out. "Banlieues" are urbanized areas lying on the outskirts of larger cities in France. Often, they are home to the poor, and frequently residents are migrants and refugees. Troublesome banlieues (often referred to as "sensitive areas" in translations from French) concentrate a familiar range of social problems, including drug abuse and crime. Recently, issues like Islamic fundamentalism and violence against women have risen in visibility. However, these areas constitute a problem in part because of how police are deployed there. As a chapter by Fabien Jobard documents, policing in the banlieues is chronically understaffed, and as a result officers often resort to a militarized, defensive style of policing which encourages their use of preemptive violence. Further, transfers of officers from the banlieues in order to police large demonstrations in city centers has undercut staffing levels in poorer areas, and paramilitary units from elsewhere have been deployed to take up the slack. These trends interact with another French tradition, that of violent police control of racial minorities. In turn, banlieue residents are increasingly convinced that they are treated differently, unjustly, and unequally. There has been a visible rise in protests against violence by the police. The resulting violence aimed at police has further legitimized their continued militarization. In Jobard's analysis, behind this state of affairs lies large structural trends in French society. These include budgetary constraints imposed by the French state, geographical segregation by class and background, and de-industrialization of the economy.

One of the roots of routinized police violence against citizens of immigrant origin is the nation's colonial legacy. Emmanuel Blanchard's chapter in this volume traces the historical origins of a French policing style characterized by aggressive attempts to control racialized communities. He argues that this legacy of the colonial period has not received enough attention by scholars and social critics alike. The first to bring to the foreground the excesses of the colonial legacy were political activists. They highlighted contemporary continuities with policing practices shaped in the colonies, referring to "internal colonialism." He points out that domestic French policing was more directly impacted by its imperial legacy than was the case in Britain. The Algerian War (1954-1962) particularly affected police-public relationships, leading to organizational,

institutional, and operational practices that emphasized tough anti-crime tactics, a heavy reliance on stop and search, and the militarization of civil policing.

## **Police and the People**

In contrast to Brodeur's (2010) "high policing," or protecting the state, routine "low policing" is concerned with protecting communities and the general public. Traditionally, most low policing is reactive. Officers largely arrive on the scene because they have been called by victims, and their core mission is making arrests that survive review and lead to convictions and sentences via open legal processes. These features of routine policing promote transparency and can grant them a great deal of legitimacy, if they are accomplished effectively. However, many chapters in this volume speak to social and organizational factors that can get in the way. Bureaucratic, political and cultural factors within police organizations can reduce their apparent effectiveness in the eyes of the public, which has developed different expectations. These expectations may have been influenced by the media, by political activists or critical politicians, or just by the experiences of friends and neighbors, but in the 21<sup>st</sup> Century they have become an independent political fact. Further, surveys make it clear that public support for the police has fractured along race, class and gender lines, and that creates an even more complex environment that the police must navigate.

An important domain of everyday is sexual violence. As a chapter by Océane Perona documents, it is a contested one. Police treatment of victims of sexual violence in France has been denounced by women's' movements for decades. Officers have been blamed for hostility towards the complainants themselves, and of not taking their complaints seriously or accepting their testimony with an open mind. To make sense of this apparent indifference to crime victims, research in social psychology and criminology has examined the attrition of rape cases as they proceed through the criminal justice system, identifying key decision points and the sources of case attrition along the way. Importantly, Perona's own study of units specializing in rape investigations finds that officer's decisions are the product of professional routines rather than simple gender stereotypes. Her work highlights the importance of organizational factors, in contrast to cultural ones. The general rules by which investigators classify and prioritize criminal cases lead them to value complex cases, those with an unknown suspect and offenders who threaten to be a danger to society. Big cases are those that fit the police imagination regarding "real rape," crimes by strangers that are rapidly reported and feature threats to life and limb. Solving violent assaults in public locations that demanded professional skill on the part of investigators gains them prestige within the organization. It is the use of these criteria to classify and prioritize cases that has led to a disjuncture between changing public expectations

regarding the treatment of sexual assault cases and the apparent effectiveness of the police in dealing with them.

A chapter by Mathilde Darley and Jérémie Gauthier also dives deeply into the internal dynamics of police organizations in order to understand officer's views of their work and their relation to the community. It documents the role that gender norms play in officer's strategies for establishing their professional identity within the police. Key to this is a cultural resistance to the feminization of policing by many male officers. Masculinity in all its stereotypical aspects continues to mould their professional identity. In turn, the gendered structure of the policing profession affects interactions between officers, an issue of growing significance because of the growing feminization of the job. There is also evidence that it affects officer's views of the public and individual victims and offenders that they interact with. It may help sustain the warrior model frequently espoused by officers, that they need to be tough, they must be feared, and they must dominate encounters with the public.

There is also a growing body of research on how the traditions and practices of French policing have affected their support in the eyes of crime victims and the public, and the potential involvement of ordinary citizens in community safety. In a lengthy chapter, Sebastian Roché examines the current state of research in France on public trust and confidence in the police. He reports that things are not going well for them. In comparison to the countries that France would prefer to rank with, the public evidences relatively low levels of confidence in the police. Further, as in many places, there are important divisions within society over support for the police that overlay significant ethnic and social cleavages. Residents of the banlieues describe low levels of satisfaction and trust in the police and grant them little legitimacy. This is a finding which is consistent with many descriptions of the police role in their communities that are described in this book.

Following a tradition in political science, Roché distinguishes between support for the police as an institution (diffuse support) and support for their activities (specific support). He finds that many respondents answer positively to general questions about the police role, but many fewer remain positive when asked to evaluate specific actions. He also documents a substantial uptick in trust in the police following terrorist attacks in France in late 2015.

Research comparing France with public opinion in other nations has become common as new data from the European Commission's Eurojustis-France project, the European Social Survey, the Police Youth Relations in Multi-Ethnic Cities projects has become available. The European Social Survey in particular included measures of



perceived police fairness and procedural justice, which are topics that have been widely studied elsewhere. Overall, Roché concludes that ratings of police procedural justice, integrity, trust and legitimacy are low in France, which is often ranked among nations it might not want to be compared to. Further sections of this chapter review popular evaluations of the use of violence in disadvantaged suburbs and police actions during riot control operations. Roché reports that people's most negative judgments concerned disrespectful and ethnically differential treatment by the police. Although these views were more common among residents of banlieues, the public in general did not have very positive opinions regarding these measures.

These empirical findings are linked to discussions of police reform, and particularly to the absence of policing policies designed to build trust and legitimacy and the failure to correct practices that undermine support for the police. Low public satisfaction and weak trust in the police in France when compared to many EU countries illustrate a failure to treat problems that have been long diagnosed but not successfully addressed. The lack of reform moving police toward greater local accountability, the disproportionate use of violence against poor neighborhoods, and an absence of programs aiming at improving the quality of police services are the likely causes.

Then there is community policing. Based upon the features of French policing described in this book – beginning with its centralized character and extending through the role of national politics in its policies and operations, the urgency of its missions to gather domestic intelligence and thwart potential terrorism, its limited accountability to civil society, tension between youths and the police, and the primacy of its intrusive identity checks in maintaining control of the population – that community policing has not gained a significant foothold. A chapter by Jacques de Maillard and Mathieu Zagrodzki details the emergence of community policing, the idea that they would welcome public input and even active involvement in the business of their organizations. They describe the stages by which community policing advanced and then retreated on the reform agenda. During the 1980s and 1990s there were attempts to develop a more supportive relationship between police and underprivileged areas. Partnerships emerged involving municipal police and local bodies. A significant experiment in community policing was launched in the 1990s. Then, however, progress stalled. Terrorism, the politicization of security issues and new managerial thinking pushed community-oriented policing off the reform agenda, where it has largely remained.

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